

**DECLARATION**

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHOD AND SYSTEM FOR INCREMENTALLY MOVING TEETH** the specification of which      is attached hereto or XX was filed on October 10, 1997 as Application No. 08/947,080 and was amended on      (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

**Prior Foreign Application(s)**

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
na			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/050,342	JUNE 20, 1997

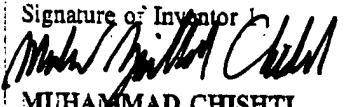
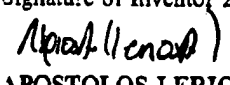
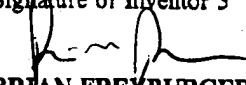
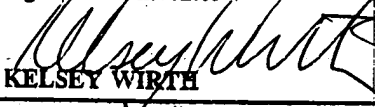
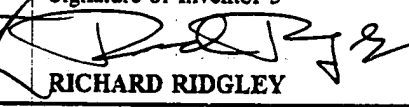
I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
na		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned
		<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input type="checkbox"/> Abandoned

0929666 042399

Full Name of Inventor 1	Last Name <b>CHISHTI</b>	First Name <b>MUHAMMAD</b>	Middle Name or Initial	
Residence & Citizenship	City <b>MENLO PARK</b>	State/Foreign Country <b>CALIFORNIA</b>	Country of Citizenship <b>USA</b>	
Post Office Address	Post Office Address <b>350 SHARON PARK DRIVE, NO. E24</b>	City <b>MENLO PARK</b>	State/Country <b>CALIFORNIA</b>	Zip Code <b>94025</b>
Full Name of Inventor 2	Last Name <b>LERIOS</b>	First Name <b>APOSTOLOS</b>	Middle Name or Initial	
Residence & Citizenship	City <b>STANFORD</b>	State/Foreign Country <b>CALIFORNIA</b>	Country of Citizenship <b>GREECE</b>	
Post Office Address	Post Office Address <b>QUILLEN 10C, ESCONDIDO VILLAGE</b>	City <b>STANFORD</b>	State/Country <b>CALIFORNIA</b>	Zip Code <b>94305</b>
Full Name of Inventor 3	Last Name <b>FREYBURGER</b>	First Name <b>BRIAN</b>	Middle Name or Initial	
Residence & Citizenship	City <b>PALO ALTO</b>	State/Foreign Country <b>CALIFORNIA</b>	Country of Citizenship <b>USA</b>	
Post Office Address	Post Office Address <b>1065 MIDDLEFIELD ROAD</b>	City <b>PALO ALTO</b>	State/Country <b>CALIFORNIA</b>	Zip Code <b>94301</b>
Full Name of Inventor 4	Last Name <b>WIRTH</b>	First Name <b>KELSEY</b>	Middle Name or Initial	
Residence & Citizenship	City <b>MENLO PARK</b>	State/Foreign Country <b>CALIFORNIA</b>	Country of Citizenship <b>USA</b>	
Post Office Address	Post Office Address <b>350 SHARON PARK DRIVE, NO. E24</b>	City <b>MENLO PARK</b>	State/Country <b>CALIFORNIA</b>	Zip Code <b>94025</b>
Full Name of Inventor 5	Last Name <b>RIDGLEY</b>	First Name <b>RICHARD</b>	Middle Name or Initial	
Residence & Citizenship	City <b>LOS ALTOS</b>	State/Foreign Country <b>CALIFORNIA</b>	Country of Citizenship <b>USA</b>	
Post Office Address	Post Office Address <b>1230 GROMWALL COURT</b>	City <b>LOS ALTOS</b>	State/Country <b>CALIFORNIA</b>	Zip Code <b>94024</b>
Full Name of Inventor 6	Last Name <b>///</b>	First Name	Middle Name or Initial	
Residence & Citizenship	City	State/Foreign Country	Country of Citizenship	
Post Office Address	Post Office Address	City	State/Country	Zip Code

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  MUHAMMAD CHISHTI	Signature of Inventor 2  APOSTOLOS LERIOS	Signature of Inventor 3  BRIAN FREYBURGER
Date 3/17/98	Date 3/17/98	Date 3/19/98
Signature of Inventor 4  KELSEY WIRTH	Signature of Inventor 5  RICHARD RIDGLEY	Signature of Inventor 6 ///
Date 3/17/98	Date 7/20/98 7/31/98 REC	Date

DEC-6.MRG 3/98  
PADATA\PA2\PTODVMH.13\391

05290268-042399

**POWER OF ATTORNEY BY ASSIGNEE**

**ALIGN TECHNOLOGY, INC., 2991 El Camino Real, Suite 210, Redwood City, California 94061** is the Assignee of the invention entitled:

**METHOD AND SYSTEM FOR INCREMENTALLY MOVING TEETH**

The specification of which      is attached hereto or XX was filed on October 8, 1997 as Application No. 08/947,080.

The Assignment accompanying this Power of Attorney has been reviewed by the undersigned. The undersigned certifies that to the best of the undersigned's knowledge and belief, title is in the Assignee. The undersigned (whose title is supplied below) is empowered to act on behalf of the Assignee.

Assignee hereby appoints the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

James M. Heslin, Reg. No. 29,541  
Gary T. Aka, Reg. No. 29,038  
Robert C. Colwell, Reg. No. 27,431  
Paul C. Haughey, Reg. No. 31,836  
David N. Slone, Reg. No. 28,572  
William M. Smith, Reg. No. 30,223  
Renee A. Fitts, Reg. No. 35,136  
Lorie A. Morgan, Reg. No. 38,181

Darin J. Gibby, Reg. No. 38,464  
Mark D. Barrish, Reg. No. 36,443  
Joe Liebeschuetz, Reg. No. 37,505  
James F. Hann, Reg. No. 29,719  
Randolph T. Apple, Reg. No. 36,429  
John R. Storella, Reg. No. 32,944  
Margaret A. Powers, Reg. No. 39,804  
Hao Y. Tung, Reg. No. P43,209

Send Correspondence to:  
**James M. Heslin, Esq.**  
TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, CA 94111-3834

Direct Telephone Calls to:  
**James M. Heslin, Esq.**  
Reg. No. 29,541  
650/326-2400

**ALIGN TECHNOLOGY, INC.**

Date: 7/28/98

By: Kelsey Wirth  
Title: President

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
(37 CFR 1.9(f) & 1.27(c)) - SMALL BUSINESS CONCERN

Applicant or Patentee: MUHAMMAD CHISHTI et al.

Application or Patent No.: 08/947,080

Filed or Issued: October 8, 1997

Title: METHOD AND SYSTEM FOR INCREMENTALLY MOVING TEETH

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: ALIGN TECHNOLOGY, INC.

Address of Small Business Concern: 2991 El Camino Real, Suite 210  
Redwood City, California 94061

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled METHOD AND SYSTEM FOR INCREMENTALLY MOVING TEETH by inventor(s) MUHAMMAD CHISHTI, APOSTOLOS LERIOS, BRIAN FREYBURGER, KELSEY WIRTH & RICHARD RIDGLEY described in:

- ☐ the specification filed herewith.  
☒ Application No. 08/947,080, filed October 8, 1997  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name: ///  
Address: \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Kelsey Wirth  
Title of Person if Other than Owner: President  
Address of Person Signing: 2991 El Camino Real, Suite 210  
Redwood City, California 94061

Signature: Kelsey Wirth Date: 7/28/98



TOWNSEND & TOWNSEND  
& CREW

18563-00011045  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SR/K

DECEMBER 10, 1998 98 DEC 15 AM 10:16  
PTAS

TOWNSEND AND TOWNSEND AND CREW LLP  
JAMES M. HESLIN  
TWO EMBARCADERO CENTER, 8TH FLOOR  
SAN FRANCISCO, CALIFORNIA 94111-3834



\*100805228A\*

U.S. PTO  
09/298268  
04/23/99

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/17/1998

REEL/FRAME: 9410/0375  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
CHISHTI, MUHAMMAD

DOC DATE: 03/17/1998

ASSIGNOR:  
LERIOS, APOSTOLOS

DOC DATE: 03/19/1998

ASSIGNOR:  
FREYBURGER, BRIAN

DOC DATE: 03/19/1998

ASSIGNOR:  
WITH, KELSEY

DOC DATE: 07/20/1998

ASSIGNOR:  
RIDGLEY, RICHARD

DOC DATE: 07/20/1998

ASSIGNEE:  
ALIGN TECHNOLOGY, INC.  
2991 EL CAMINO REAL, SUITE 210  
REDWOOD CITY, CALIFORNIA 94061

9410/0375 PAGE 2

SERIAL NUMBER: 08947080  
PATENT NUMBER:

FILING DATE: 10/08/1997  
ISSUE DATE:

JOANN STEWART, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

MRD 8-17-98 O I P E

09-02-1998

Attorney Docket No. 18563-00011

FORM PTO-1595  
(Rev. 6-93)

AUG 17 1998

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Asst. Commissioner for Patents, 100805228, documents or copy thereof.

## 1. Name of conveying party(ies):

MUHAMMAD CHISHTI, APOSTOLOS LERIOS,  
BRIAN FREYBURGER, KELSEY WIRTH  
& RICHARD RIDGLEY

## 2. Name and address of receiving party(ies):

Name: ALIGN TECHNOLOGY, INC.

Internal Address:

Street Address: 2991 El Camino Real, Suite 210

City: Redwood City State: California ZIP: 94061

## 3. Nature of conveyance:



Assignment



Merger



Security Agreement



Change of Name



Other:

Execution Dates: 3/17, 3/19 &amp; 7/20/98

Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 4. Application number(s) or patent number(s).

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) 08/947,080

B. Patent No.(s)

08/21/1998 DALEXND 00000053 201430 08947080

Additional numbers attached? ☐ Yes ☒ No

05 FC:581 40.00 CH

05 FC:581 40.00 CH

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: JAMES M. HESLIN  
TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111-3834  
(650) 326-2400

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41):..... \$ 40.00



Enclosed



Charge Fees to Deposit Account



Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account

8. Deposit account number: 20-1430

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Hao Y. Tung

Name of Person Signing

Signature

AUGUST 13, 1998

Date

Atty. Reg. No. P43,209

Total number of pages including cover sheet, attachments, and document: 3

10. Change Correspondence Address to that of Part 5? ☒ Yes ☐ No

OMB No. 0651-0011 (exp. 4/94)

Mail documents to be recorded with required cover sheet information to:

Do not detach this portion

Asst. Commissioner for Patents  
Box Assignments  
Washington, D.C. 20231



**ASSIGNMENT OF PATENT APPLICATION**

**JOINT**

**WHEREAS, MUHAMMAD CHISHTI of 350 Sharon Park Drive, No. E24, Menlo Park, CA 94025; APOSTOLOS LERIOS of Quillen 10C, Escondido Village, Stanford, CA 94305; BRIAN FREYBURGER of 1065 Middlefield Road, Palo Alto, CA 94301; KELSEY WIRTH of 350 Sharon Park Drive, No. E24, Menlo Park, CA 94025; and RICHARD RIDGLEY of 1230 Gromwall Court, Los Altos, CA 94024, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below identified application for United States Letters Patent:**

**Title of the Invention: METHOD AND SYSTEM FOR INCREMENTALLY MOVING TEETH**

**Date(s) of execution of Declaration: 3/17, 3/19, & 7/31/98**

**Filing date: OCTOBER 8, 1997 Application No.: 08/947,080; and**

**WHEREAS, ALIGN TECHNOLOGY, INC. a Delaware corporation, located at 2991 El Camino Real, Suite 210, Redwood City, California 94061, hereinafter referred to as "Assignee," is desirous of acquiring an interest in the invention and application and in any Letters Patent and Registrations which may be granted on the same;**

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

indicated. .

Date:

**MUHAMMAD CHISHTI**

**Date:**

## APOSTOLOS LERIOS

Date:

**BRIAN FREYBURGER**

**Due:**

**WILSEY WORTH**

Date:

**RICHARD RIDGLEY**

PLANT, PASADENA, CALIF. 1974